

REMARKS

General Remarks

Claims 1-57 are all the claims currently pending in the present application.

Allowable Subject Matter. The Examiner indicates that Claims 8-10, 22-24, 36-38, 48, and 53 stand objected to, but would be allowable if rewritten into independent form including all of the limitations of the claims from which they depend. Applicants respectfully request that the rewriting of these claims be held in abeyance until the Examiner has considered the arguments presented herein.

Prior Art Rejections.

Claims 1, 15 and 29 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Losh, U.S. Patent No. 6,173,181 ("Losh"), in view of Leung et al., U.S. Patent No. 5,623,535 ("Leung").

Claims 2-7, 16-21, 30-35 and 43 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Losh, in view of Leung and Seppanen et al., U.S. Patent No. 5,903,832 ("Seppanen").

Claims 11-14, 25-28, 39-42, 44-47, 49-52, and 54-57 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Losh, in view of Leung, Seppanen, and Nystrom et al., U.S. Patent No. 6,526,091 ("Nystrom").

Applicants respectfully traverse these rejections as discussed below.

Claims 1, 15, and 29

Regarding the Examiner's §103(a) rejection of Claims 1, 15, and 29 over Losh and Leung, Applicants respectfully submit that the cited combination of references fails to teach or suggest at least performing cell detection by detecting scramble codes of a visiting cell and a neighboring cell and controlling to write the detected scramble codes in memory, as claimed.

The Examiner refers to the description in Losh of a neighbor scan list in memory 58 as teaching this limitation. (Office Action, p. 3). However, contrary to the assertion of the Examiner, Losh fails to teach or suggest detecting the scramble codes of neighboring cells, as claimed. According to Losh, the candidate scan list is transmitted to a subscriber unit over a paging channel (Col. 6, lns. 23-27), and is then stored in memory 58 (Col. 7, lns. 42-44). In other words, according to Losh, the information stored as a candidate scan list in memory 58 is not detected by a mobile unit, but rather is received in a broadcast from a base station. There is no teaching or suggestion in Losh or Leung that scramble codes detected by a detecting means are written into memory, as claimed.

Therefore, for at least the above-presented reasons, Applicants submit that Claims 1, 15, and 29 are patentable over the cited combination of references and respectfully request that the §103(a) rejection of these claims be reconsidered and withdrawn.

Claims 2-7, 11-14, 16-21, 25-28, 30-35, 39-47, 49-52, and 54-57

With respect to the Examiner's §103(a) rejections of Claims 2-7, 11-14, 16-21, 25-28, 30-35, 39-47, 49-52, and 54-57, Applicants submit that these claims are patentable at least by virtue of their dependence on Claims 1, 15, and 29, and for the following additional reasons.

Claims 2, 16, and 30. Regarding the Examiner's rejection of Claims 2, 16, and 30 over Losh, Leung, and Seppanen, Applicants submit that the cited combination of references fails to teach or suggest at least performing control so as to store scramble codes in memory in response to a user operation, as claimed.

The Examiner acknowledges that Losh and Leung fail to teach or suggest this limitation, and therefore relies on Seppanen, col. 4, lns. 16-53. (Office Action, p. 5). However, contrary to the assertion of the Examiner, Seppanen fails to teach or suggest this limitation. Seppanen describes that a user can select and move network names and system parameters on a preference list. (Col. 4, lns. 16-21, col. 5, ln. 66 to col. 6, ln. 9). However, there is no teaching or suggestion of storing information in response to a user operation, instead, Seppanen merely teaches moving information within a list which has already been stored.

Claims 3, 17, and 31. Regarding the Examiner's rejection of Claims 3, 17, and 31 over Losh, Leung, and Seppanen, Applicants submit that the cited combination of references fails to teach or suggest at least automatically storing scramble codes in memory in accordance with detection frequencies of the scramble codes, as claimed.

The Examiner acknowledges that Losh and Leung fails to teach or suggest this limitation. The Examiner argues that Seppanen teaches automatically storing codes, but the Examiner fails to specifically note or point out a reference that teaches or suggests automatically storing codes according to the detection frequencies of the codes, as claimed.

Seppanen fails to teach or suggest measuring or determining detection frequencies of codes, and therefore also fails to teach or suggest automatically storing codes according to detection frequencies of the codes. As noted by the Examiner, neither Losh nor Leung teach or suggest automatically storing codes. (Office Action, p. 6). Further, the Examiner has provided no motivation or suggestion in the cited references showing that the claimed limitation would be obvious.

Claims 4, 18, and 32. Regarding the Examiner's rejection of Claims 4, 18, and 32 over Losh, Leung, and Seppanen, Applicants submit that the cited combination of references fails to teach or suggest at least automatically storing scramble codes in memory in accordance with intra-cell stay times.

The Examiner acknowledges that Losh and Leung fail to teach or suggest this limitation. As noted above, with respect to Claims 3, 17, and 31, the Examiner argues that Seppanen teaches automatically storing codes, but the Examiner fails to specifically note or point out a reference that teaches or suggests automatically storing codes according to intra-cell stay times, as claimed.

Seppanen fails to teach or suggest measuring or determining intra-cell stay times, and therefore also fails to teach or suggest automatically storing codes according to intra-cell stay times. As noted by the Examiner, neither Losh nor Leung teach or suggest automatically storing codes. (Office Action, p. 6). Further, as with Claims 3, 17, and 21, the Examiner has provided no motivation or suggestion in the cited references showing that the claimed limitation would be obvious.

Claims 6, 7, 20, 21, 34, and 35. Regarding the Examiner's rejection of Claims 6, 7, 20, 21, 34, and 35 over Losh, Leung, and Seppanen, Applicants submit that the cited combination of references fails to teach or suggest at least performing cell detection by preferentially using scramble codes stored in memory, as recited in Claims 6, 20, and 34, or by using a plurality of scramble codes stored in memory according to a descending order of priorities, as recited in Claims 7, 21, and 35.

The Examiner acknowledges that Losh and Leung fail to teach or suggest these limitations, and therefore relies on Seppanen. (Office Action, p. 9-10). However, contrary to the assertion of the Examiner, Seppanen fails to teach or suggest performing cell detection. According to Seppanen, a PSID/RSID list containing prioritized information relating to a number of networks is stored in memory and can be accessed by a user in order to select a network. (Seppanen, col. 3, lns. 1-30 and col. 4, lns. 29-53). There is no teaching or suggestion in Seppanen of detecting a cell, or of detecting a cell by using scramble codes stored in memory, or by using scramble codes stored in memory according to a descending order of priorities, as claimed.

Claims 12, 26, and 40. Regarding the Examiner's rejection of Claims 12, 26, and 40 over Losh, Leung, Seppanen, and Nystrom, Applicants submit that the cited combination of references fails to teach or suggest at least performing cell detection in accordance with a priority of a scramble code of a scramble code group stored in memory, as claimed.

The Examiner acknowledges that Losh, Leung, and Seppanen fail to teach or suggest this limitation, and therefore relies on Nystrom. (Office Action, p. 12). However, while Nystrom describes that scramble codes are divided into groups and stored in the memory (col. 5, lns. 50-65 and col. 6, ln. 63 to col. 7, ln. 2), there is no teaching or suggestion that there is any priority of scramble codes within a group or that cell detection is performed according to such a priority.

Claims 2-7, 11-14, 16-21, 25-28, 30-35, 39-47, 49-52, and 54-57 are patentable. In view of at least the above-presented arguments, Applicants submit that Claims 2-7, 11-14, 16-21, 25-28, 30-35, 39-47, 49-52, and 54-57 are patentable over the cited prior art and respectfully request that the §103(a) rejections of these claims be reconsidered and withdrawn.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

RESPONSE UNDER 37 C.F.R. § 1.111
U.S. Application No. 09/661,195

Q60810

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Laura Moskowitz
Registration No. 55,470

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: August 31, 2004